

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Attorneys for Secured Creditor

PNC Bank, National Association



Order Filed on January 26, 2023

by Clerk

U.S. Bankruptcy Court

District of New Jersey

In Re:

Mary Patricia Lusch, Albert C. Lusch Sr.

Debtors.

Case No.: 19-25621 MBK

Adv. No.:

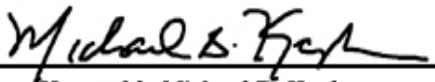
Hearing Date: 01/11/23 @ 9:00 a.m.

Judge: Michael B. Kaplan

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: January 26, 2023


Honorable Michael B. Kaplan
United States Bankruptcy Judge

(Page 2)

Debtors: Mary Patricia Lusch, Albert C. Lusch Sr.

Case No: 19-25621 MBK

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, PNC Bank, National Association, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 48 Jeffrey Circle, Dayton, NJ, 08810, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Allen Gorski, Esq., attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of January 13, 2023 Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due October 2022 through December 2022 for a total post-petition default of \$5,134.60 (Attorney's fees and cost @ \$538.00, 3 @ \$2,015.44, less suspense \$1,449.72); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$5,134.60 will be paid by Debtor remitting \$570.52 for nine months in addition to the regular monthly mortgage payment, which additional payments shall begin on February 1, 2023 and continue for a period of nine months until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume January 1, 2023, directly to Secured Creditor's servicer, PNC Bank, NA, 3232 Newmark Drive, Miamisburg, OH 45342 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that the terms of this order shall survive any discharge entered in this case; and

It is further **ORDERED, ADJUDGED and DECREED** the **Motion** for Relief is hereby resolved.

In re:
Albert C. Lusch, Sr.
Mary Patricia Lusch
Debtors

Case No. 19-25621-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Jan 26, 2023

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 28, 2023:

Recip ID	Recipient Name and Address
db/jdb	+ Albert C. Lusch, Sr., Mary Patricia Lusch, 48 Jeffrey Circle, Dayton, NJ 08810-1430

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 28, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 26, 2023 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Allen I Gorski	on behalf of Joint Debtor Mary Patricia Lusch agorski@gorskiknowlton.com
Allen I Gorski	on behalf of Debtor Albert C. Lusch Sr. agorski@gorskiknowlton.com
Denise E. Carlon	on behalf of Creditor PNC Bank National Association dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Denise E. Carlon	on behalf of Creditor Toyota Motor Credit Corporation dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Kevin Gordon McDonald	

District/off: 0312-3

User: admin

Page 2 of 2

Date Rcvd: Jan 26, 2023

Form ID: pdf903

Total Noticed: 1

on behalf of Creditor Toyota Motor Credit Corporation kmcdonald@kmlawgroup.com bkgroup@kmlawgroup.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7